

AFFIDAVIT IN SUPPORT OF APPLICATION FOR ATTACHMENT OF EARNINGS ORDER

IN THE MAGISTRATES' COURT

Court Number: _____

OF VICTORIA AT _____

BETWEEN

Plaintiff

Of (Address of Plaintiff): _____

and

Defendant

Of (Address of Defendant): _____

Date of Document	_____		
Filed on behalf of:	_____		
Australian lawyer name:	_____	Code:	_____
Address:	_____	Telephone:	_____
		Reference	_____

I _____ (judgment creditor) _____ (occupation)
of (address) _____

the judgment creditor, make *oath/*affirm and say that:

1. By order dated _____ it was ordered that _____ (judgment debtor)
pay me the sum of \$ _____ together with costs.
(amount)

2. \$ _____ (amount) is due and unpaid in respect of the order, being :
- (a) \$ _____ due under the order;
 - (b) \$ _____ costs of this attachment application;
 - (c) \$ _____ other costs incurred subsequent to order;
 - (d) \$ _____ interest to date

OR

_____ (judgment debtor) has persistently failed to comply with an order
by the Court on (date) _____ that: (insert terms of order not complied with)

3. _____
(*judgment debtor*)
is employed by: _____
(*name of employer*)
of _____
(*address of employer*)
as a (*occupation*) _____

4. No warrant committing _____
(*judgment debtor*)
to prison under the *Imprisonment of Fraudulent Debtors Act 1958* has been issued.

OR

A warrant committing _____
(*judgment debtor*)
to prison under the *Imprisonment of Fraudulent Debtors Act 1958* has been issued and has been returned unexecuted.

*[*for affidavits*] The contents of this affidavit are true and correct and I make it knowing that a person making a false affidavit may be prosecuted for the offence of perjury.

*[*for statutory declarations*] I declare that the contents of this statutory declaration are true and correct and I make it knowing that making a statutory declaration that I know to be untrue is an offence.

*SWORN/*AFFIRMED AT _____
in the State of Victoria on
(*date*) _____

Signature of person making affidavit

Before me: _____

(*Name and address in legible writing, typing or stamp*)

*authorised under section 30(2) of the **Oaths and Affirmations Act 2018** to witness the signing of a statutory declaration.

*authorised under section 19(1) of the **Oaths and Affirmations Act 2018** to take an affidavit.